

REMARKS

Initially, Applicants would like to express their appreciation to the Examiner for indicating the allowability of the subject matter of claims 6-8, 11-13, 18 and 19. By this Reply, Applicants have canceled the claims that were not allowed and incorporated the allowable subject matter, together with the limitations of the base and intervening claims, into claims 6, 11, 18 and 19, which have been amended into independent form.

Applicants wish to clarify the record with respect to the Examiner's basis for the patentability of the allowable subject matter in the present application. In this regard, while Applicants do not disagree with the Examiner's indication that certain identified features are not disclosed by the references, Applicants submit that each of the claims, as amended, in the present application recite a particular combination of features, and that the basis for patentability of each of these claims is based on the totality of the particular features recited therein.

Upon entry of the present amendment, the specification will have been amended to correct informalities in the specification language for purpose of clarification. In particular, the abbreviation for signal-to-noise ratio has been changed from "CNR" to --SNR-- and the abbreviation for the ratio of signal to noise (i.e., gain) has been changed from "C/N" to --S/N--. Also, the Summary of the Invention will have been amended to correct minor informalities and to more appropriately refer to frequency offsets, as opposed to frequency shifts. No prohibited new matter has been inserted in the application.

Further, upon entry of the present amendment, claims 1-5, 9, 10 and 14-17 will have been canceled, without prejudice and without disclaimer of the subject matter. Claims 6-8, 11-13, 18 and

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19 will have been amended to more clearly recite the claimed subject matter and to enhance the clarity of the claim language. Also, claims 6, 11, 18 and 19 will have been amended into independent form to include the limitations of their respective original base and intervening claims.

New claims 20-23 is herewith submitted for the Examiner's consideration. More particularly, new method claims 20 and 21 recite essentially the same subject matter as amended apparatus claims 7 and 8, and new method claims 22 and 23 recite essentially the same subject matter as amended apparatus claims 12 and 13, respectively. Applicants respectfully submit that all pending claims are now in condition for allowance.

In the above-referenced Official Action, the Examiner rejected claims 2 and 15 under 35 U.S.C. § 112, first paragraph, as containing subject matter not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Although Applicants do not agree with the Examiner's characterization of the claimed subject matter or the corresponding support in the specification, Applicants have canceled claims 2 and 15, without prejudice and without disclaimer of the subject matter, in order to expedite allowance of the application.

Also in the above-referenced Official Action, the Examiner rejected claims 1, 4, 5, 8, 14 and 17 under 35 U.S.C. § 102(b) as being anticipated by KOMATSU (U.S. Patent No. 5,818,882). The Examiner rejected claims 3 and 16 under 35 U.S.C. § 103(a) as being unpatentable over KOMATSU in view of SUGITA et al. (U.S. Patent No. 5,862,172).

As stated above, Applicants have amended allowable claims 6, 11, 18 and 19 into independent form, to include the limitations of their original base and intervening claims,

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respectively, and are thus in condition for allowance. Claims 7, 8, 12 and 13, which respectively depend, directly or indirectly, from amended claims 6 and 11 are likewise in condition for allowance. Although Applicants do not agree with the Examiner's characterization of the prior art or with the grounds of the Examiner's rejections of the canceled claims, Applicants have canceled these claims, without prejudice and without disclaimer of the subject matter, merely to expedite allowance of the present application.

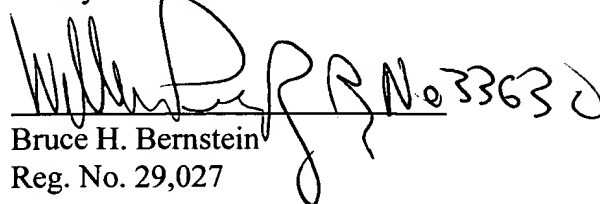
In view of the herein contained amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the previously asserted rejections set forth in the Official Action of March 29, 2004, together with an indication of the allowability of all pending claims, in due course. Such action is respectfully requested and is believed to be appropriate and proper.

Any amendments to the claims in this Reply, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto..

Should the Examiner have any questions concerning this Reply or the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

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